

Notice of Allowability

Application No.

09/995,450

Examiner

EDMUND H. LEE

Applicant(s)

LEE, KEUN-HO

Art Unit

1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to after-final amendment filed 12/29/03.
2. ☒ The allowed claim(s) is/are 1-2 and 6-8 (renumbered as 1-2 and 3-5, respectively).
3. ☒ The drawings filed on 30 June 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS- (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. <u>1202004</u> |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
01/22/2004, INENSLEY 00000004 302230 09995450
Paper No. _____ | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 04 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

EDMUND H. LEE
Primary Examiner
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EXAMINER'S AMENDMENT

1. An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on 1/20/04, Amit Sheth requested an extension of time for 1 MONTH(S) and authorized the Director to charge Deposit Account No. 502290 the required fee of \$110.00 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Specification:

Pg 6, Ins 1-20: the phrase "a method for making...and the balloon forming region." has been deleted and replaced with --a method for making a silicon rubber balloon catheter, the method comprising the steps of: extruding an elongated lumen tube provided with a drainage lumen and an inflation lumen therein, wherein the elongated lumen tube has a diameter less than the silicon rubber balloon catheter; vulcanizing the elongated lumen tube; cutting the vulcanized elongated lumen tube to form one or more unit length lumen tubes; fitting a support rod in the drainage lumen of the unit length lumen tube; forming two apertures through the unit length lumen tube at the a balloon forming region, wherein the two apertures each have a diameter of approximately 0.5 mm; coating an outer surface of the unit length lumen tube uniformly

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at the balloon forming region with a bond preventing agent while turning the unit length lumen tube along its circumference, wherein the coating of the bond preventing agent has straight edges; removing the support rod from the unit length lumen tube; connecting the coated unit length lumen tube to another coated unit length lumen tube with a connector to form a series of unit length lumen tubes; extruding a balloon tube having uniform thickness over the series of unit length lumen tubes such that the series of unit length lumen tubes is within the balloon tube; ensuring that the bond preventing agent is not discolored or has not deteriorated; vulcanizing the balloon tube; cutting the balloon tube to form one or more unit length balloon tubes, wherein the unit length balloon tube is approximately equivalent in length to the unit length lumen tube; removing the connector from the unit length lumen tube; forming a tip at one end of the unit length balloon tube; and forming a urine drainage hole through the unit length balloon tube and through the drainage lumen within the unit length lumen tube.--

In the claims:

Claim 5 has been canceled.

CI 6, ln 2: the phrase --at positions-- has been inserted after "lumen tube".

CI 6, ln 3: the phrase --while being spaced apart from the opposite edges by a distance of about 2 to 3 mm, respectively-- has been inserted after "forming region".

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2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDMUND H. LEE whose telephone number is 571.272.1204. The examiner can normally be reached on MONDAY-THURSDAY FROM 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni can be reached on 703.305.5493. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.308.0661.

EDMUND H. LEE
Primary Examiner
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1/21/04

EHL